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Client Matter#: 23922-201

From: Joseph H. Born

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**Message**

Applicant: Montano et al.

USSN: 10/719,644

Filed: November 21, 2003

Title: Lacrosse-Stick Heads

Attached herewith is a Response to Notice of Incomplete Reply

**IMPORTANT - PLEASE READ**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

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PAGE 1/7 \* RCVD AT 5/28/2004 4:33:38 PM [Eastern Daylight Time] \* SVR:USPTO-EFAX-1/1 \* DNIS:8729306 \* CSID:617 832 7000 \* DURATION (mm-ss):02-22

## Deposit Account Statement

Page 1 of 3


**United States  
Patent and  
Trademark Office**
**Deposit Account Statement****Requested Statement Month:**

May 2004

**Deposit Account Number:**

061448

**Name:**

FOLEY, HOAG &amp; ELIOT LLP

**Attention:**

PATENT GROUP

**Address:**

155 SEAPORT BLVD

**City:**

BOSTON

**State:**

MA

**Zip:**

02109

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
05/03	2	10194024	IHM-248.01	1252	\$420.00	\$9,112.00
05/03	128	09758034	NSO-001.01	8021	\$40.00	\$9,072.00
05/03	444	10688768		8021	\$40.00	\$9,032.00
05/04	42	60566737	HKT-001.61	2005	\$80.00	\$8,952.00
05/04	93	PCT/US04/13126	WBA-002.25	1621	\$300.00	\$8,652.00
* 05/04	111	10719644	BRY-002.01	2001	\$385.00	\$8,267.00
05/04	112	10719644	BRY-002.01	2202	\$63.00	\$8,204.00
05/05	1	10460768		1814	\$110.00	\$8,094.00
05/05	150	09858334	NSO-009.01	8021	\$40.00	\$8,054.00
05/05	304	09596251	15626-0059	1504	\$300.00	\$7,754.00
05/06	1	09561750	FOM-109	1801	\$770.00	\$6,984.00
05/06	7	60548638	FPY-091.60	1807	\$50.00	\$6,934.00
05/06	92	60567604	HMV-091.61	2005	\$80.00	\$6,854.00
05/06	245	PCT/US03/32721	BSA-017.25 (20704-1725)	1705	\$14.00	\$6,840.00
05/06	248	PCT/US04/13570	WBA-002.26	1621	\$300.00	\$6,540.00
05/06	308	09726800		8021	\$40.00	\$6,500.00
05/06	465	10475204	HWV-056.01	2617	\$65.00	\$6,435.00
05/07	123	60568150	HMV-096.60	2005	\$80.00	\$6,355.00
05/10	3	09310185	30945.5USC1	1251	\$110.00	\$6,245.00
05/10	4	09310185	30945.5USC1	1801	\$770.00	\$5,475.00
05/10	86	PCT/US04/09965		1601	\$300.00	\$5,175.00
05/10	87	PCT/US04/09965		1602	\$1,000.00	\$4,175.00
05/10	88	PCT/US04/09965		1702	\$1,134.00	\$3,041.00
05/10	89	PCT/US04/09965		8007	\$60.00	\$2,981.00
05/10	90	PCT/US04/09965		1703	\$408.00	\$2,573.00
05/11	30	PAYMENT		9203	-\$35,900.00	\$38,473.00
05/11	129	09166701	SMI-005.01	2254	\$740.00	\$37,733.00
05/11	130	09166701	SMI-005.01	2801	\$385.00	\$37,348.00

PTO/SB/17 (10-03)

U.S. Patent and

Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 513**Complete if Known**

Application Number 10719,644

Filing Date November 21, 2003

First Named Inventor Montano et al.

Examiner Name EXAMINER

Art Unit 3711

Attorney Docket No. BRY-002.01

**COPY****METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:

Deposit Account Number 08-1448, Reference: BRY-002.01

Deposit Account Name Foley Hoag LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	770	2001 385 Utility filing fee	385
		1002	340	2002 170 Design filing fee	
		1003	530	2003 285 Plant filing fee	
		1004	770	2004 385 Reissue filing fee	
		1005	160	2005 80 Provisional filing fee	

**SUBTOTAL (1)**

(\$ 385)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
27	3		20 **	7	63
			3 **	0	0
					0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
		1202	18	2202 9 Claims in excess of 20
		1201	86	2201 43 Independent claims in excess of 3
		1203	290	2203 145 Multiple dependent claim, if not paid
		1204	88	2204 43 Reissue independent claims over original patent
		1205	18	2205 9 Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$ 63)

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	2051 65 Surcharge - late filing fee or oath	65.00
		1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
		1053	130	1053 130 Non-English specification	
		1812	2,520	1812 2,520 For filing a request for reexamination	
		1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
		1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
		1251	110	2251 65 Extension for reply within first month	
		1252	420	2252 210 Extension for reply within second month	
		1253	950	2253 475 Extension for reply within third month	
		1254	1,480	2254 740 Extension for reply within fourth month	
		1255	2,010	2255 1,005 Extension for reply within fifth month	
		1401	330	2401 165 Notice of Appeal	
		1402	330	2402 165 Filing a brief in support of an appeal	
		1403	290	2403 145 Request for oral hearing	
		1451	1,510	1451 1,510 Petition to institute a public use proceeding	
		1452	110	2452 55 Petition to revive - unavoidable	
		1453	1,330	2453 665 Petition to revive - unintentional	
		1801	1,330	2501 665 Utility issue fee (or reissue)	
		1502	480	2502 240 Design issue fee	
		1503	640	2503 320 Plant issue fee	
		1460	130	1460 130 Petitions to the Commissioner	
		1807	50	1807 50 Processing fee under 37 CFR 1.17 (g)	
		1806	180	1806 180 Submission of Information Disclosure Stmt	
		8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
		1809	770	2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	770	2810 385 For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	770	2801 385 Request for Continued Examination (RCE)	
		1802	900	1802 900 Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 65)

**SUBMITTED BY**

Name (Print/Type)

Jeffrey M. Sears

Registration No.  
(Attorney/Agent)

48,440

**Complete (if applicable)**

Telephone

(517) 832-3022

Signature

Date

May 3, 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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www.uspto.gov

APPLICATION NUMBER	FILING OR 37 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/719,644	11/21/2003	Ben Montano	BRV-002.01 (23922-201)

CONFIRMATION NO. 1261

25181

FOLEY HOAG, LLP

PATENT GROUP, WORLD TRADE CENTER WEST

155 SEAPORT BLVD

BOSTON, MA 02110

## FORMALITIES LETTER



\*0000000012614655\*

*Response Due*  
**DUE:** 6/9/04 - 1 mo ext  
**FINAL:** 10/9/04

Date Mailed: 05/12/2004

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

## Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 05/03/2004 to the Notice to File Missing Parts (Notice) mailed 03/09/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 was not received.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.


Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
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Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

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